



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of **Mitchell A. Benjamin et al.**

Group Art Unit: 2131

Application No.: 09/981,660

Filed: October 17, 2001

For: **MULTI-SENSOR FUSION**

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OFFICE OF PETITIONS

TO THE COMMISSIONER FOR PATENTS:

PETITION TO WITHDRAW CLAIM OF PRIORITY

This petition is accompanied by a check for the petition fee of \$130.00.

This patent application was originally filed on October 27, 2001 as a continuation-in-part of US Patent Application No. 09/837,563, which in turn claimed priority from US Patent Application No. 60/198,068. The original application named six inventors, including Daniel Preston and R. Pierce Lutter.

Applicant, the assignee of all right and title to the patent application and the inventions described therein, hereby petitions the Commissioner for a withdrawal of the claim of priority, and conversion of the patent application to an application without priority, having a filing date of October 17, 2001.

Applicant respectfully also points out that 37 C.F.R. § 1.63 declarations of the six originally named inventors were not submitted with the original application, and as a result the patent office issued a Request for Missing Parts mailed November 8, 2001. Since declarations had not yet been filed, pursuant to 37 C.F.R. § 1.63, Applicant has also filed a request under 37 C.F.R. § 1.48(b) for correction of inventorship by the removal of Daniel Preston and R. Pierce Lutter.

Applicant has filed, concurrently with this petition, declarations executed by the inventors, a Petition for Extension of Time to respond to the

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request for missing parts, and an Assignment for recordal of title in the name of Airbiquity, Inc.

Applicant respectfully requests favorable consideration of the petition to withdraw the priority claim, and early notice to that effect.

Respectfully submitted,

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